

REMARKS

In view of the amendments and remarks that follow, Applicants respectfully submit that the application is in condition for allowance. Accordingly, applicants request reconsideration of the application, withdrawal of the objections of record and issuance of a Notice of Allowance.

Claims 1-29 and 35-42 are pending in the application. Claims 15-29 are allowed and Claims 1-14 and 35-42 are objected to for the reasons of record. Claim 1 has been amended in order to put the application in condition for allowance. The amendments are not considered to involve the addition of new matter and entry of the amended claims is respectfully requested.

Applicants would like to thank the examiner for his guidance and patience during the prosecution of this application.

The Office has noted that the application is in condition for allowance except for some formal matters. First of all, the Sequence Listing filed April 21, 2004 is objected to because a statement was not provided saying that the content of the paper and computer readable copies include no new matter as required under 37 CFR 1.825 (a).

Applicants hereby submit that the content of the paper and computer readable copies filed April 21, 2004 do not include new matter.

This is considered to overcome the first objection.

Secondly, applicants acknowledge the statement that the substitute specification filed April 21, 2004 has been entered. They also acknowledge the statement that the Sequence Listing filed April 21, 2004 was approved by STIC as to matters of form.

The Office has noted that the substitute specification is objected to because there are no amino acid sequences in the substitute specification which have been labeled SEQ

ID NOS: 14, 15, or 16 and notes that the relationship between these SEQ ID NOS as set forth in the Sequence Listing filed April 21, 2004 and the disclosure of the invention is unclear.

Applicants have closely reviewed the Sequence Listing and determined that SEQ ID NOS: 14, 15 and 16 are identical to SEQ ID NOS: 220, 238 and 239, respectively. Applicants communicated this fact with the Office and submit, as requested, that the sequences identified as SEQ ID NOS: 14, 15 and 16 were originally disclosed in the application and are identical to SEQ ID NOS: 220, 238 and 239.

The Office has also noted that the substitute specification is objected to because in at least one instance, the clean copy of the substitute specification does not correspond with the marked-up copy of the substitute specification. In particular, it is pointed out that on page 67 of the clean copy, the last line of Table 1 says SEQ ID NO: 239, while corresponding page 73 of the marked-up copy say SEQ ID NO: 243.

Applicants have reviewed the substitute specification and have determined that the clean copy correctly lists SEQ ID NO: 239. The marked up copy was in error as there are only 240 sequence listings in the amended specification. No errors have been found in the clean copy of the specification.

Finally, Claims 1-14 and 35-42 are objected to because Claim 1 was presented as a "Previously presented" claim but contained an amendment marking from a previous amendment. Additionally, certain SEQ ID NOS were not updated to reflect the new numbering from the Sequence Listing filed April 21, 2004. These have been corrected and are noted in the Listing of Claims presented with this response.

It is also noted that Claims 41 and 42 were identified as "NEW" although they contained amendment markings. The identifications of these claims have been corrected in this response to reflect that they were "Previously presented."

Applicants gratefully acknowledge the allowance of Claims 15-29 and the indication that Claims 1-14 and 35-42 would be allowable if rewritten or amended to overcome the claim objections set forth in the May 7, 2004 office action.

In view of the foregoing, Applicants submit that the application, as amended, is in condition for allowance and courteously solicit a Notice of Allowance.

If any fee due is not accounted for herein, please charge such fee to Deposit Account No. 19-3880. If any extension of time is required and not petitioned for, such extension is hereby petitioned for, and it is requested that any fee due in connection therewith be charged to the aforementioned Deposit Account.

The foregoing amendment and response are believed to be fully responsive to the outstanding Office Action. If a direct personal communication would advance the prosecution of this application, please contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elliott Kersen", is written over a horizontal line.

Elliott Kersen
Attorney for Applicants
Reg. No. 32,705

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-4741

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